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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,777	01/21/2004	Arturo A. Rodriguez	A-8149	3529

5642 7590 01/24/2007	EXAMINER
SCIENTIFIC-ATLANTA, INC.	BELOUSOV, ANDREY
INTELLECTUAL PROPERTY DEPARTMENT	
5030 SUGARLOAF PARKWAY	ART UNIT / PAPER NUMBER
LAWRENCEVILLE, GA 30044	2109

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	01/24/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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PTOmail@sciatl.com

	Application No.	Applicant(s)
Office Action Summary	10/761,777	RODRIGUEZ ET AL.
	Examiner	Art Unit
	Andrew Belousov	2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 January 2004_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-52_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-52_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _1/21/2004_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _1/21/04; 5/18/05._

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

This action is in response to the original filing of Jan 21, 2004. Claims 1-52 are pending and have been considered below.

Claim Objections

1.   Claim 1 is objected to because of the following informalities: Use of an acronym, "TV" needs to be preceded by what it stands for. Appropriate correction is required.

Examiner's Note: Claims 35 through 38 appear to depend upon incorrect parent claims. Claim 35 will be treated as depending on claim 26 for prosecution, because otherwise the dependency as written would make claim 35 contradict itself. Prosecution of claim 36 is likewise treated as depending on claim 26. Prosecution of claims 37 and 38 is treated as depending upon claim 36 to mirror the dependency of parallel method claims of 1-24, because it appears as if the dependency as written is as a result of a typographical error.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 1-3, 5-12, 14-28, 30-37, 39-48 are rejected under 35 U.S.C. 102(b) as

being anticipated by Bruck et al (U.S. Patent No. 6,008,836).

Claim 1: Bruck discloses a method for determining the characteristics of a display

device coupled to a network client device capable of receiving TV signals, the network

client device having video and audio output capabilities, said method comprising the

steps of:

    a. driving a display device with a first video output signal formatted according to a

        first video interface specification ("improper setting") (col 1, lines 59-63);

    b. responsive to driving the display device, soliciting user input based on

        information included in the first video output signal (col 2, lines 64-67);

    c. determining a characteristic of the display device based on the user input (col 8,

        lines 6-14); and

    d. driving the display device according to the determined characteristic (col 12, lines

        15-18).

Claim 26: Bruck discloses a system for determining the characteristics of a display

device, said system comprising:

    a. a memory with display logic (Fig. 1C); and

    b. a processor configured with the display logic to drive a display device with a first

        video output signal formatted according to a first video interface specification (col

        1, lines 59-63), wherein

c. the processor is further configured with the display logic to, responsive to driving
    the display device, solicit user input based on information included in the first
    video output signal (col 2, lines 64-67), wherein

d. the processor is further configured with the display logic to determine a
    ·characteristic of the display device based on the user input (col 8, lines 6-14),
    wherein

e. the processor is further configured with the display logic to drive the display
    device according to the determined characteristic (col 12, lines 15-18).

Claim 2, 27: Bruck discloses the method and system of claims 1 and 26 wherein the

characteristic includes at least one of a type of display device, picture size, frame rate,

scan format, color format, colorimetry, picture width-to-height aspect ratio, width-to-

height aspect ratio of pixels, and capability and manner of receiving ancillary data (col

10, lines 18-49).

Claim 3, 28: Bruck discloses the method and system of claims 1 and 26, wherein the

display device includes at least one of a television set and a display monitor (col 4, line

63).

Claim 5, 30: Bruck discloses the method and system of claims 1 and 26, wherein the

step of driving a display device with a first video output signal includes the step of

transmitting at least one of graphics data and video data (Fig. 1B, 6).

Claim 6, 31: Bruck discloses the method and system of claims 1 and 26, wherein the step of driving the display device according to the determined characteristic further includes the steps of receiving a TV signal at a network client device, processing the TV signal, and transmitting a video output signal according to the first video interface specification and according to at least one parameter of the TV signal (Fig 2B: 13, 29, 50, 51, 52, 53, 12).

Claim 7, 32: Bruck discloses the method and system of claims 1 and 26, wherein the transmitted video output signal is delivered through a video port in the network client device, the video port preset according to the first video interface specification and according to at least one parameter of the TV signal (Fig. 1c, 26).

Claim 8, 33: Bruck discloses the method and system of claims 1 and 26, wherein the step of soliciting includes the step of presenting at least one of visible instructions and audible instructions to the user (col 2, lines 64-67).

Claim 9, 34: Bruck discloses the method and system of claims 1 and 26, wherein the step of determining includes the step of determining at least one of how to drive the display device such that a legible, nondistorted picture is presented and what are optimal signal parameters to send to the display device (col 8, lines 9-11).

Claim 10, 35: <u>Bruck</u> discloses the method and system of claims 1 and 26, wherein the

step of determining includes the step of determining at least one of how to drive the

display device such that a legible, distorted picture is presented and what are optimal

signal parameters to send to the display device (col 8, lines 9-11, col 8, lines 54-56).

Claim 11, 36: <u>Bruck</u> discloses the method and system of claims 1 and 26, further

including the step of driving the display device according to a second video format,

wherein the step of driving the display device according to a second video format is at

least one of a result of an automatic cycling after a defined threshold period of time of

receiving no user input and a result of user input (col 12, lines 15-18; user input: col 11,

lines 17, 28, 39, 52, 63).

Claim 12, 37: <u>Bruck</u> discloses the method and system of claims 11 and 36, wherein the

step of driving the display device according to a second video format includes the step

of driving the display device through an output port used to drive the display device

according to the first video format (col 12, lines 15-18).

Claim 14: <u>Bruck</u> discloses the method of claim 1, wherein the display device is

physically connected to a network client device (col 5, line 19).

Claim 15: <u>Bruck</u> discloses the method of claim 1, wherein the display device is in

wireless communication with a network client device (col 5, line 19).

Claim 39: <u>Bruck</u> discloses the system of claim 26, wherein the processor is further

configured with the display logic to effect communication with the display device through

at least one of a wireless connection and a physical connection (col 5, line 19).

Claim 16: <u>Bruck</u> discloses the method of claim 1, further including the step of receiving

a request for discovery of the characteristic (col 7, line 1-35).

Claim 17: <u>Bruck</u> discloses the method of claim 16, wherein the step of receiving a

request includes the step of receiving a signal corresponding to the activation of a

button on a remote control device (col 7, line 1-35).

Claim 40: <u>Bruck</u> discloses the system of claim 26, further including a remote control

device configured with a button that, responsive to activation of the button, cooperates

with the display logic to initiate discovery of characteristics of the device (col 7, line 1-

35).

Claim 18: <u>Bruck</u> discloses the method of claim 1, further including the step of receiving

a request for cycling through at least one of a different video format and a different

output port (Fig 10A, 10B 100 102, ...111, 113, B). Examiner's Note: as in claim 16 and

18, the actual performance of the request is not claimed, and as such it is immaterial as

to what matter the request is directed to.

Claim 19: <u>Bruck</u> discloses the method of claim 18, wherein the step of receiving a

request includes the step of receiving a signal corresponding to the activation of a

button on a remote control device (col 5, lines 25-34).

Claim 41: <u>Bruck</u> discloses the system of claim 26, further including a remote control

device (col 5, lines 25-34) configured with a button that, responsive to activation of the

button, cooperates with the display logic to cycle through at least one of a plurality of

formats and a plurality of video ports (Fig 10A, 10B 100 102, ...111, 113, B).

Claim 20, 42: <u>Bruck</u> discloses the method and system of claims 1 and 26, further

including the step of driving the display device according to at least one of the

determined characteristic and a plurality of determined characteristics to present

content on a display screen of the display device, wherein the step of driving the display

device is further according to at least one parameter of a TV signal (col 12, line 15-18;

TV signal parameter: Fig, 2B, 29).

Claim 21, 43: <u>Bruck</u> discloses the method and system of claims 20 and 42, further

including the step of receiving pictures from a storage device to process and present on

the display screen of the display device (col 5, line 67 - col 6, lines 1-6).

Claim 22, 44: Bruck discloses the method and system of claims 21 and 43, wherein the pictures include at least one of distorted objects, non-distorted objects, distorted images, non-distorted images, visual information, and a graphical characteristic to provide an indication of the characteristic of the display device (col 5, line 67 - col 6, lines 1-6).

Claim 45: Bruck discloses the system of claim 43, wherein the processor is further configured with the display logic, and in cooperation with the media engine and the output system, to distort at least one of objects and video images and leave undistorted at least one of objects and video images (Fig. 7A, 132, 131).

Claim 23, 46: Bruck discloses the method and system of claims 1 and 43, wherein the step of determining a characteristic of the display device further includes the step of determining how a user has configured the display device to display a TV signal of a defined aspect ratio on the display device having at least one of the same physical aspect ratio and a different aspect ratio as the defined aspect ratio of the TV signal (Fig. 7A 131 ("1.")). The examiner notes that it is inherent that the TV signal has a defined aspect ratio and that it is different or same as the physical aspect ratio of the display device.

Claim 24, 47: Bruck discloses the method and system of claims 1 and 26, wherein the user input includes user preferences (col 10, line 35-36; col 11, lines 19-23).

Claim 25: <u>Bruck</u> discloses a method for determining the characteristics of a display

device coupled to a network client device, said method comprising the steps of:

   a. cycling through a plurality of video formats, each part of the cycle including a

       predetermined time duration (col 12, lines 15-18, user input: col 11, lines 17, 28,

       39, 52, 63);

   b. outputting a video signal including pictures for each part of the cycle, wherein the

       pictures include at least one of graphics data and video data (Fig. 1B, 6);

   c. processing the pictures for each video format for output to a display device (col 5,

       line 67 - col 6, lines 1-6);

   d. setting parameters of a video output port according to each video format (Fig 1C,

       26);

   e. soliciting a user response for each video format, wherein the step of soliciting

       includes the step of presenting at least one of visible instructions and audible

       instructions to the user (col 2, lines 64-67);

   f. determining at least one characteristic of the display device based on the user

       response, wherein the characteristic includes at least one of type of device,

       picture size, frame rate, scan format, color format, colorimetry, picture width-to-

       height aspect ratio, width-to-height aspect ratio of pixels, capability of providing

       ancillary data, manner of providing the ancillary data (col 10, lines 18-49); and

g. driving the display device according to the at least one determined characteristic

and according to at least one parameter of a received TV signal to present

images on a display screen (col 12, line 15-18; TV signal parameter: Fig, 2B, 29).

Claim 48: Bruck discloses the system of claim 26, wherein the system is embodied in a

network client device in communication with the display device (col 4, lines 66 - col 5,

lines 1-3).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruck.

Claim 4, 29: Bruck discloses the method and system of claims 1 and 26. While Bruck

does not explicitly disclose wherein the step of driving a display device with a first video

output signal further includes the step of transmitting an audio output signal containing

audible voice instructions to the user, it would have been obvious to one having ordinary

skill in the art at the time the invention was made to provide such instructions. One

would have been motivate to provide voice instructions over the audio capable system disclosed in Bruck (Fig. 1C, 25), so as to accommodate persons with poor eyesight.

Claims 13 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruck in view of Elswick et al. (U.S. Patent No. 6,791,620).

Claim 13, 38: Bruck discloses the method and system of claims 1 and 36. However Bruck does not explicitly disclose wherein the step of driving the display device according to a second video format includes the step of driving the display device through an output port different than the output port used to drive the display device according to the first video format. Elswick discloses a similar system, wherein driving the display device according to a second video format includes the step of driving the display device through an output port (channel) different than the output port (channel) used to drive the display device according to the first video format (col 3, line 9-20). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to drive the display device according to a second video format through an output port different than the output port used to drive the display device according to the first video format. One would have been motivated to do so in order to separately accommodate many video formats independently.

Claims 49 - 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bruck et al in view of Gove et al (U.S. Patent No. 5,398,071).

Claim 49: Bruck discloses a system for determining a preferred display performance

between the deinterlacing ability of a display device coupled to a network client device

and the deinterlacing ability of the network client device, said system comprising:

  a. a memory with display logic (Fig. 1C); and

  b. a processor configured with the display logic to present objects on a display

  screen of a display device that are altered by the display logic to solicit (col 2,

  lines 64-67) a response by a user,

  c. wherein the processor is further configured with the display logic to, responsive

  to the user input (col 8, line 6-14), determine a capability of the display device.

However, Bruck does not explicitly disclose that the determined capability is display

device's de-interlacing capability. Gove discloses a similar system for determining

preferred display performance using a format detector that is integrated with motion

detection logic used for de-interlacing algorithms of standard television formats so as to

permit real-time switching to whatever pixel processing algorithm is most appropriate for

the data being received (col 1, line 65 - col 2, line 2). Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to

enable determination of de-interlacing of a signal to be displayed on a display screen.

One would have been motivated to provide such a capability so as to properly display

ubiquitous interlaced source video on increasingly popular progressive scan displays.

Claim 50: <u>Bruck</u> further discloses the system of claim 49, wherein the display device

includes a television set (col 4, line 63).

Claim 51: <u>Bruck</u> discloses the system of claim 49, wherein the processor is further

configured with the display logic to determine a capability of the client device.

However, <u>Bruck</u> does not explicitly discloses that the determined capability is display

device's de-interlacing capability. <u>Gove</u> discloses a similar system for determining

preferred display performance using a format detector that is integrated with motion

detection logic used for de-interlacing algorithms of standard television formats so as to

permit real-time switching to whatever pixel processing algorithm is most appropriate for

the data being received (col 1, line 65 - col 2, line 2). Therefore, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to

enable determination of de-interlacing of a signal to be displayed on a display screen.

One would have been motivated to provide such a capability so as to properly display

ubiquitous interlaced source video on increasingly popular progressive scan displays.

Claim 52: <u>Bruck</u> further discloses the system of claim 49, wherein the system is

embodied in a network client device capable of outputting video and audio in at least

one defined format through at least one port (col 4, lines 66 - col 5, lines 1-3; col 5, lines

41-59).

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

    a. <u>Glen</u>, U.S. Patent No. 6,157,415.

    b. <u>Simpson</u>, U.S. Patent No. 5,838,393

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andrew Belousov whose telephone number is (571)

270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Myhre can be reached on (571) 272-6722. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB
Jan 17, 2007

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